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9 Attorney for Defendant  
10 JASON WILKISON

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA, ) No. 2:04-cr-0317 LKK  
14 Plaintiff, )  
15 v. ) ORDER CONSENTING TO VIDEO  
16 JASON WILKISON, ) DEPOSITION  
17 Defendant. )  
18 \_\_\_\_\_ ) Judge: Hon. Lawrence K. Karlton  
19 ) (In Chambers)  
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16 Acting through their respective counsel, Assistant United  
17 States Attorney Kimberly A. Smith, counsel for plaintiff, and Assistant  
18 Federal Defender Jeffrey L. Staniels, counsel for defendant JASON S.  
19 WILKISON, the parties have agreed to take the video deposition of a  
20 medically incapacitated defense witness Phyllis Brown, and have  
21 scheduled it to be taken at the witness' nursing home in Grass Valley,  
22 California, on February 17, 2006.

23 Federal Rule of Criminal Procedure 15(h) permits the taking  
24 and use of a deposition by agreement of the parties and with the  
25 court's consent. Trial confirmation in the above matter is now  
26 scheduled for February 28, 2006; trial is scheduled for March 21, 2006.

27 Pursuant to the parties' request and as provided in Federal  
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1 Rule of Criminal Procedure 15(h) the Court hereby consents to the  
2 taking of the agreed upon deposition and the use of relevant portions  
3 of that deposition at trial in lieu of the personal appearance of the  
4 witness.

5 **IT IS SO ORDERED.**

6 By the Court,  
7

8 Dated: February 6, 2006

9 /s/ Lawrence K. Karlton  
Hon. Lawrence K. Karlton  
Senior Judge  
10 United States District Court

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